

May 18, 2017

To: The Federal Communications Commission
Re: RM-11786 for FM Translators

These comments are submitted by Ben Downs, Vice President of Bryan Broadcasting; the licensee of AM stations KZNE, KWBC, KAGC, and WTAW.

At the current time, we operate FM translators repeating FM HD channels in the Bryan/College Station area. We will take advantage of the cross-band translator auction window for AM stations when it is opened.

We would urge the Commission to recognize there is much opportunity to resolve the problems faced by AM licensee when they choose to pair their AM stations with an FM translator. In a small to medium market an FM translator repeating an AM daytimer will essentially restore the financial viability of the AM station and allow it to provide considerable additional service to the community.

But, that allows the AM daytimer to become a competitive force in the market. And increased competition can also bring about an increased chance for mischief by other licensees impacted by this new competitor.

Several years ago, a broadcaster contacted me and said I should file comments in support of an effort to declare a translator as interfering with reception of our station, KNDE-FM. The complaining "listener" was reporting hearing interference approximately 35 kilometers beyond our 60dbu service contour.

I don't know the outcome of this effort, but, it was obviously a case of abuse of the spirit of the rules. There needs to be a particular standard to protect translators providing local service (and in the case of a daytime AM – original service) from these challenges that might as well have come from Mars.

Translators ARE the lifeline to stretch the useful life of the AM band in small to medium markets. While the current staff and Commission are willing to dismiss obvious abuses of the process, unless a particular standard and protocol is codified, there isn't a guarantee of common sense ruling in the future.

AM stations strive to serve their communities against many strong headwinds. With the addition of an FM translator they provide their service, but with a product the population will listen to. This improvement in a competitive environment should not generate invented claims of interference from areas far beyond the area countenanced by a station's allocation.

I would also concur with other commenters that the threat of a translator being removed from the air should not continue indefinitely. Even Damocles was eventually allowed to walk from underneath the suspended sword. If a translator has existed for a year or so without complaint, a sudden competitive spat should not provide a competing broadcaster a pathway to bring forth the ultimate retribution and force the translator from the air.

Requiring interference complaints to originate from within a particular contour seems a good solution to reduce abuse of the rules.